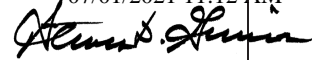


# EXHIBIT D

EXHIBIT D

  
CLERK OF THE COURT

ARJT

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

LOGAN ERNE, an Individual,  
  
Plaintiff(s),  
vs.

Case No.: A-18-773499-C  
Dept. No.: III

MARGARET WILLIAMS, LCPC an  
Individual; MARILYN S. ABEL, CPC, an  
Individual; ANTHONY QUINN, M.D., an  
Individual; BRANDON PAYZANT, PAC,  
PHC OF NEVADA, INC. DBA  
HARMONY HEALTHCARE, a foreign  
corporation; and SUMMERLIN  
HOSPITAL & MEDICAL CENTER LLC,  
a limited liability company; DOES I - X;  
ROE BUSINESS ENTITIES XI - XX,  
inclusive,

Defendant(s)

AMENDED ORDER SETTING  
CIVIL JURY TRIAL AND CALENDAR CALL

IT IS HEREBY ORDERED that:

A. The above-entitled case is set to be tried to a jury on a five week stack to begin,  
Monday, October 10, 2022, at 10:30 a.m.

B. A Pre-Trial Conference/Calendar Call with the designated attorneys and/or

1 parties in proper person will be held on **Thursday, September 29, 2022, at 1:30 p.m.** The  
2 designated trial attorney or parties in proper person, must be present, in person, and must be  
3 prepared to state when they are available within the stack to commence trial. Parties must  
4 bring to Calendar Call the following:

- 5 (1) Typed Exhibit Lists;
- 6 (2) List of depositions;
- 7 (3) List of equipment needed for trial, including audiovisual equipment; and
- 8 (4) Courtesy copies of any legal briefs on trial issues.

9 C. The Pre-Trial Memorandum must be filed by 4:00 p.m. no later than **5 days**  
10 **prior to the Pre-Trial Conference/Calendar Call**, with a courtesy copy delivered or emailed  
11 to Department III. All parties (attorneys and parties in proper person), **MUST** comply with **all**  
12 **requirements** of Eighth Judicial District Court Rules (EDCR) 2.67, 2.68 and 2.69.

13 Counsel must include in the Memorandum an identification of Orders on all Motions  
14 in Limine or Motions for Partial Summary Judgment previously made, a summary of any  
15 anticipated legal issues remaining, a brief summary of the opinions to be offered by any  
16 witness to be called to offer opinion testimony as well as any objections to the opinion  
17 testimony.

18 D. All pre-trial motions, including motions in limine, must be in writing and **filed**  
19 **no later than August 19, 2022**, and must be heard not less than 14 days prior to trial. The  
20 parties must adhere to the requirements set forth in EDCR 2.47, particularly EDCR 2.47(b),  
21 which requires the lawyers to personally consult with one another by way of face-to-face  
22 meeting or via telephone conference before a motion in limine can be filed. Counsel are  
23 required to confer, pursuant to EDCR 2.47(b), **at least two weeks prior** to filing any motion  
24 in limine. If a personal or telephone conference was not possible, the attorney's declaration  
and/or affidavit attached to the pre-trial motion shall set forth the reasons. Should a party

1 and/or his or her attorney fail to abide by the requirements of EDCR 2.47(b) before filing his or  
2 her motion in limine, such motion will not be heard by the Court.

3 E. In addition to depositions that are to be lodged with the Court pursuant to  
4 EDCR 2.69, if any party intends to use portions of a Deposition (transcript or video) in lieu of  
5 live testimony; the Parties must provide a designation (by page/line citation) of the portions of  
6 the testimony to be offered must be filed and served on the parties and the department five (5)  
7 judicial days prior to the commencement of trial. Any objections or counter-designations  
8 (by page/line citation) of testimony must be filed and served on the parties and the  
9 department, three (3) judicial days prior to the commencement of trial.

10 F. Counsel **MUST** contact the Department no later than one week prior to trial to  
11 make arrangements to deliver or discuss marking exhibits. Exhibit guidelines are listed on the  
12 District Court Department III's website at [www.clarkcountycourts.us](http://www.clarkcountycourts.us) or are available upon  
13 request.

14 G. Counsel shall meet and discuss voir dire questions, jury instructions, and  
15 verdict forms. Counsel shall provide the Court an agreed upon set of jury instructions, voir  
16 dire questions, and proposed verdict forms, along with any additional jury instructions  
17 proposed by either side, via email, **no later than one (1) judicial day before trial**. If there are  
18 contested instructions, they should be sent to chambers with an explanation regarding the  
19 disagreement and the differing authority supporting positions.

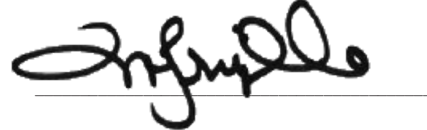
20 H. All discovery deadlines, initial expert and rebuttal expert disclosures, and  
21 deadlines to amend pleadings or add parties, and filing dispositive motions, are controlled by  
22 the Stipulation and Order to Continue Trial and Extend Discovery Deadlines (Ninth Request)  
23 and Stipulation and Order to Extend Discovery Deadlines (Tenth Request), entered into by  
24 the parties.

1 Pursuant to E.D.C.R. 2.35, a motion as to any discovery issues or deadlines must be  
2 made before the Discovery Commissioner.

3 Counsel is required to advise the Court immediately when the case settles or is  
4 otherwise resolved prior to trial. A stipulation which terminates a case by dismissal shall also  
5 indicate whether a Scheduling Order has been filed and, if a trial date has been set, the date of  
6 that trial.

7 Failure of the designated trial attorney or any party appearing in proper person to  
8 appear for any court appearances or to comply with this Order shall result in any of the  
9 following: (1) dismissal of the action (2) default judgment; (3) monetary sanctions; (4)  
10 vacation of trial date; and/or any other appropriate remedy or sanction.

11  
12  
13 Dated this 1st day of July, 2021

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15

16 **F8A 478 86DF 7159**  
17 **Monica Trujillo**  
18 **District Court Judge**  
19  
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22  
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24

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Logan Erne, Plaintiff(s)

CASE NO: A-18-773499-C

7 vs.

DEPT. NO. Department 3

8 Margaret Williams, Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Amended Order Setting Jury Trial was served via the court's electronic  
13 eFile system to all recipients registered for e-Service on the above entitled case as listed  
below:

14 Service Date: 7/1/2021

15 Carla Dukowitz	cd@steveburrislaw.com
16 E-File Admin	efile@hpslaw.com
17 S. Vogel	brent.vogel@lewisbrisbois.com
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If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 7/2/2021

Stephen Vogel	Lewis Brisbois Bisgaard & Smith LLP 6385 S Rainbow Blvd Suite 600 Las Vegas, NV, 89118
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